

Message Text

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PAGE 01 STATE 036689
ORIGIN DRC-01

INFO OCT-01 NEA-10 ISO-00 L-03 /015 R

DRAFTED BY FADRC/DR:FMMACHAK:LB
APPROVED BY O/FADRC:JSRUDEN
L/M:LAHUMMER
NEA/AFN:DLJAMESON

-----180619 085116/11

R 172102Z FEB 77
FM SECSTATE WASHDC
TO AMEMBASSY ALGIERS

UNCLAS STATE 036689

E.O. 11652:N/A

TAGS:CDES, AINF

SUBJECT:REQUEST FOR INFORMATION ABOUT DECEASED AMERICAN

REF: ALGIERS 86, ALGIERS 395

1. CONSIDERABLE UNCERTAINTY EXISTS REGARDING RELEASE OF PERSONAL INFORMATION PERTAINING TO DECEASED PERSONS. IN GENERAL, DECEASED PERSONS DO NOT RPT NOT HAVE PRIVACY RIGHTS UNDER PRIVACY ACT OF 1974. WHETHER SUCH RIGHTS CAN BE EXTENDED TO HEIRS OR NEXT OF KIN HAS NOT YET BEEN RESOLVED. CONSEQUENTLY, EACH CASE MUST BE DECIDED ON ITS OWN MERITS.

2. WITH PRIVACY ACT SET ASIDE, PREVAILING STATUTE BECOMES FREEDOM OF INFORMATION ACT. BEFORE RELEASING INFORMATION REGARDING DECEASED INDIVIDUAL, POST MUST CONSIDER WHAT INFORMATION IS ALREADY IN THE PUBLIC DOMAIN THEN BE GUIDED BY FOIA EXEMPTION (B)(6) (PERTAINING TO RECORDS THE DISCLOSURE OF WHICH WOULD CONSTITUTE A CLEARLY UNWARRANTED UNCLASSIFIED

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INVASION OF PERSONAL PRIVACY).

3. DEPARTMENT BELIEVES THAT IN MOST INSTANCES DISCLOSURE OF DEATH REPORT ABOUT DECEASED AMERICAN TO HIS FORMER WIFE WOULD BE ACCEPTABLE UNDER FOI.

4. HOWEVER, EACH REPORT MUST BE CONSIDERED ON CASE-BY-

CASE BASIS. FOR EXAMPLE, IN SOME INSTANCES, DEATH REPORT AND/OR ACCOMPANYING CORRESPONDENCE HAS IDENTIFIED SOURCES OF INFORMATION, INVESTIGATORY TECHNIQUES AND METHODS, AND/OR INTIMATE DETAILS OF DEATH WHICH REQUIRE PROTECTION UNDER OTHER FOIA EXEMPTIONS. DEPARTMENT WOULD THEREFORE NEED TO KNOW IDENTITY OF DECEASED PERSONS IN ORDER TO RETRIEVE COPY OF REPORT AND OFFER MORE SPECIFIC GUIDANCE.

HARTMAN

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Sent Date: 17-Feb-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01-Jan-1960 12:00:00 am
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977STATE036689
Document Source: CORE
Document Unique ID: 00
Drafter: FMMACHAK:LB
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770058-0068
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770230/aaaabawk.tel
Line Count: 71
Litigation Code IDs:
Litigation Codes:
Litigation History:
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Message ID: 1b9217c5-c288-dd11-92da-001cc4696bcc
Office: ORIGIN DRC
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
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SAS ID: 3292788
Secure: OPEN
Status: NATIVE
Subject: REQUEST FOR INFORMATION ABOUT DECEASED AMERICAN
TAGS: CDES, AINF, AG
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Type: TE
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